

Salisbury, North Carolina
October 3, 2018

SPECIAL MEETING

PRESENT: Mayor Al Heggins; Presiding, Mayor Pro Tem David B. Post, Council Members Karen Alexander, William Brian Miller, and Tamara Sheffield, City Manager William Lane Bailey; City Clerk Diane Gilmore, and City Attorney J. Graham Corriher.

ABSENT: None.

Mayor Heggins and members of City Council met in a Special session in Council Chambers in City Hall located at 217 South Main Street. The meeting began at 2:00 p.m.

SUGGESTED RULES OF PROCEDURE

City Attorney Graham Corriher presented Council with Rules of Procedure (ROP) documents that included suggested changes submitted by Councilmembers, ROP special committee members and Mr. Corriher.

Mayor Heggins asked if the documents incorporated suggestions from Mr. Corriher and members of Council. Mr. Corriher indicated he worked with the latest official document that was edited by Council. Assistant to the City Manager Kelly Baker stated the document presented to Council includes changes from the ROP committee and changes that were agreed upon by Council at its last special meeting. Mayor Heggins asked if any new suggestions were submitted after those meetings. Ms. Baker commented no additional changes were submitted.

Mayor Pro Tem Post asked if this is Council's first opportunity to review the ROP document. Mr. Corriher stated the manuscript is a working document and this is Council's first time reviewing the suggested edits.

Mr. Corriher noted Council suggested applying the governing principle to the beginning of the ROP so it can serve as a reference point.

Councilmembers Alexander and Miller and Mayor Pro Tem Post shared their support of relocating the nine principles to the beginning of the ROP document.

Mr. Corriher explained he removed a footnote relating to the applicability of the rules because Salisbury is a municipality and it does not apply. By consensus, Councilmembers agreed to the change.

Mr. Corriher recommended Council stay current regarding changes in technology. He noted he does not believe the law is clear enough to allow a quorum to be formed or votes to be accepted by electronic means. He added electronic participation could pose problems from a legal and public perspective. City Manager Lane Bailey commented Council should be careful to not form a quorum electronically or in person. Councilmember Miller asked if a member of Council uses electronic means to participate in a meeting or if three members of Council met would those meetings be considered an official Council meeting. Mr. Bailey commented they would. Mr. Corriher commented this section of the ROP pertains to City Council meetings.

Councilmember Sheffield suggested Council consider ROP that will be in place in 20 years, and she asked if the meeting type could be referenced. Mr. Corriher commented the ROP should be written so it can change with the times, and he suggested the ROP be reviewed at certain intervals. He pointed out if a term is used to define meeting types, there is a possibility of having to re-write meeting types in other official documents to clarify verbiage. He shared he believes the context presented captures official Council meetings such as regular, special, special committee, emergency, and called meetings. Councilmember Sheffield commented she was not sure how things would be less clear if meetings types are defined. Mr. Corriher commented he considers the open meeting law that refers to official meetings. Mayor Heggins asked if Council could redefine meeting terms as listed within the ROP and as presented. Councilmember Sheffield commented she supports Mayor's idea. Mr. Corriher suggested Council define a meeting as listed throughout the ROP document as "an official meeting of the City." Councilmembers Alexander and Sheffield, and Mayor Heggins agreed to the suggestion.

Mr. Corriher shared a policy could be created for Council to review the ROP on an annual basis. Mayor Pro Tem Post suggested reviewing the ROP every two years at the Council's organizational meeting. Councilmembers agreed unanimously to review the ROP on an annual basis at Council's organizational meeting.

Mr. Corriher explained closed sessions are State regulated. He indicated there is a need to change the majority vote by Council regarding invitations to participants in closed session meetings. He pointed out allowing anyone into a closed session meeting would defeat the purpose of the meetings.

Councilmember Sheffield asked how participants are invited to attend closed session meetings. Mr. Bailey commented conversations are had with Council regarding potential visitors for closed session meetings. Mayor Pro Tem Post pointed out removing the word "majority" in the open meeting section relating to closed session participants gives Council members individual veto power. Mr. Bailey noted the original verbiage was fine and suggested leaving as

stated. Mr. Corriher indicated if a problem arises Council can review the documents and make adjustments as necessary.

Mr. Corriher reviewed a suggestion made by Council that the broadcasting and recording meetings section remain the same and the alternative meeting site section return to the original language offered by the School of Government (SOG).

Mr. Corriher pointed out Council's last discussion concluded with the organizational meeting. He indicated Council is required to establish a regular meeting schedule and notify the *Salisbury Post*. He suggested Council continue with its regular meetings on Tuesday but include "except that if a regular meeting day is a legal holiday, the meeting shall be held on the next business day unless otherwise changed in accordance with subsection (b) of this rule."

Mr. Corriher suggested the word "door" become the word "doors" relating to Council's principal bulletin board in the types of meeting section regarding notices to the public.

Mayor Heggins asked if public notices are emailed, mailed to newspapers or to a particular person to provide a written notification and if it should be filed with the City Clerk. Mr. Corriher shared written notice pertains to the City's Sunshine List and any person can be added to the list to receive notifications regarding public notices. Mayor Heggins asked if the City has a Sunshine List. City Clerk Diane Gilmore agreed.

Mr. Corriher suggested Council consider removing the word "telephone" from emergency meetings relating to called emergency meetings and the written notification delivery methods. Mayor Pro Tem Post suggested removing the word "written" from the paragraph. By consensus, Council determined to leave both words in the emergency meeting section.

Mr. Corriher suggested removing the word "subject" and replacing it with the word "purposes" relating to the open session section in order to keep the document consistent.

Mr. Corriher suggested Council make a vote passable by a two-thirds vote of the actual membership in order to consider an item of business during a special meeting that is not covered by the notice, and only if Council first determines the additional item to be in good faith. He commented the item must be discussed or acted upon immediately as required by the SOG.

Mayor Pro Tem Post asked what the word "first" pertains to transacting other business. Mr. Corriher commented the word first means that before Council decides to add another item of business to a special meeting or have a discussion about a topic, the Council would need to determine if the new topic should be taken up during the same meeting or delayed to a later date. Mr. Corriher commented Council would need a passing vote to determine if an additional item would be discussed. Councilmember Miller asked how an additional topic during a meeting differs from a closed session meeting that veer off topic and the City Clerk then adjusts the Council's focus. Mr. Bailey commented Council should try to maintain the intent of closed session meetings and if the meeting veers off track, Council could announce during an open session that additional items were discussed. Councilmember Miller suggested scheduling a different date to discuss topics that are not included on an Agenda. Mayor Heggins

recommended not confusing closed sessions and special meetings, and she suggested Council leave the section as is. By consensus, Council agreed to add “by vote of two-thirds of the actual membership of the Council.”

Mr. Corriher suggested adding “immediate consideration” to the emergency meetings in the section relating to grounds for an emergency meeting. He suggested removing the word “written,” the word “telephone,” and the word “Mayor pro tempore” in the emergency meetings section that relates to calling emergency meetings. He also suggested keeping the section relating to recessed meetings as is. By consensus, Council agreed.

Mr. Corriher referenced Council’s suggestion to remove “the Mayor may vote only when an equal number of affirmative and negative votes have been cast, though in no event may the Mayor break a tie on a motion on which he or she already voted,” in the role of presiding officer section relating to the right to vote.

Mr. Corriher suggested Council should clarify the role of the Mayor versus using him/her in the Mayor pro tempore section relating to when the presiding officer is acting in a debate. He proposed to make the same changes throughout the document to identify the official seat as the title versus him/her.

Mr. Corriher asked if Council had suggestions regarding the role of the presiding officer when the presiding officer is active in the debate. By consensus, Council agreed to replace the word “must” with the word “may” relating to designating another Council member in the role of the presiding officer section.

Councilmember Miller disagreed with removing the required second for any motion or topic of discussion in the motions and voting section relating to second not required. Mr. Corriher commented there is an exception in the *Roberts Rules of Order* for smaller bodies of government that a second is required but is quickly waived and cannot be challenged for not having a seconded motion. Councilmembers Miller and Alexander shared they support the need to have a motion seconded. Councilmember Alexander added a seconded motion shows interest in a topic, and she asked if the recommendation comes from the SOG. Councilmember Sheffield commented the verbiage does not imply that a second cannot be made, but it is not mandatory.

Councilmember Sheffield suggested removing the word “not” in the motions and voting section pertaining to actions by the Council that would allow a Mayor and any Councilmember to make a motion. By consensus, Council agreed.

Mr. Corriher suggested a change to shorten prolonged debates in the motions and voting section that relates to debate. Councilmember Sheffield asked if the responsibility of the Chair is listed in the ROP. Mr. Corriher agreed, and he pointed out Chair duties are located in the opening sentence of the debate section. Council members suggested removing the language limiting the number of times a Councilmember may speak and how long.

Mayor Pro Tem Post suggested Council have a work session to discuss large changes such as ordinances. Councilmember Miller agreed with Mayor Pro Tem Post and commented

Council should consider moving its closed session meetings to a time before Council's regular meetings.

Mr. Corriher asked Council if it had any desire to change the content in the written ballot section. Council indicated no change was needed.

Mr. Corriher asked if Council had any changes to the procedural motion section relating to suspending the rules. Councilmember Miller suggested leaving it as written in the event Council would need more than a two-thirds vote to suspend the rules. Council agreed to remove, "and not counting the Mayor if the Mayor votes only in case of a tie."

Councilmember Sheffield asked Mr. Corriher if he would clarify the word "motion" in the motions and voting section that relates to the deferral of consideration. Mr. Corriher commented there is no motion needed to table an item and what Council should do is defer the consideration of an item. He noted an item can be deferred to a date certain or consideration that will discard the topic unless revived within a 100 days. He asked Council's desire to indicate the number of days for deferrals. Councilmember Miller provided an example of a consideration offered by Development and Code Services Manager Preston Mitchell, and he pointed out planning and zoning items could not be deferred to a day certain. Mr. Corriher commented zoning matters should include a date certain, and he suggested Council deferral items to a later date versus a number of days. He added Council could take a vote to determine preferred deferral terms.

Mr. Corriher suggested a change from 120 days to 100 days relating to procedural motions for reviving consideration in order to be consistent with previous motions listed in the ROP.

Mr. Corriher reviewed a suggested change by Council relating to the adoption of an Ordinance to remove, "and not counting the Mayor unless the Mayor has the right to vote on all questions before the Council" from the subsection Adoption on the date of introduction. He suggested the adoption of an Ordinance should have at least two-thirds vote. Councilmember Miller asked if this would require Council to have a supermajority on one reading and a simple majority for an ordinance to pass on the second reading. Mr. Corriher agreed and noted it is a requirement of State law.

Mr. Corriher asked if Council had changes in the Ordinances and Contract section relating to adoption of the Budget Ordinance section. Councilmember Miller suggested Council select a meeting date in the first quarter of a fiscal year as well as an alternate date to receive the budget proposal from staff. Mr. Bailey commented the recommended budget must be presented to Council before June 1 and the final budget must be adopted before July 1 of each year. Mayor Pro Tem Post asked when the budget is ready for review. Mr. Bailey commented proposed budgets are presented to Council at the second meeting in May with work sessions in between. Mr. Corriher asked if Council agreed with the adoption of the Budget Ordinance section. By consensus, Council agreed.

Mr. Corriher suggested removing “including the Mayor’s vote in the event of a tie” relating to the approval of contracts and authorization of expenditures because it does not apply to this Council. By consensus, Council agreed to the removal.

Mr. Corriher referenced the section relating to public hearings that allow a public hearing to be held if less than a majority of councilmembers are in attendance. He asked if committees created by Council hold public hearings. Councilmember Miller commented it is his understanding that Council committees include two Council members and as a courtesy receives public input, but the discussion should be between the two committee members.

Councilmember Sheffield asked if Council committee meetings should include public hearings or if those meetings should be an open dialogue. Councilmember Miller commented he prefers that a council member have the ability to direct and lead the meetings. Mr. Corriher stated most public hearings are required by State law which allows Council to appoint two members to hold a public hearing without calling a special meeting of the entire Council. Mayor Heggins suggested leaving the verbiage as suggested by the SOG, and she noted it gives the Council the option if a need should arise. Councilmembers agreed to keep the section as it is.

Mr. Corriher indicated Council is required by law to hold a public comment period at one regular Council meeting per month. He suggested the section read, “the Council must provide an opportunity for public comment at each regular meeting, except that the Council need not offer a public comment period during any month in which it does not hold a regular meeting.” By consensus, Council agreed with Mr. Corriher suggestions.

Mr. Corriher stated Council adopted a Resolution at its organizational meeting to adopt Reasonable Rules for Public Comment Periods. Mayor Pro Tem Post commented the Mayor has the ability to extend to citizens three minutes of additional speaking time during public comment. Councilmember Miller clarified the extended time should be at the discretion of the Mayor and not determined by a citizen. Councilmember Alexander suggested using recommendations from the SOG. Councilmember Miller commented he supports the three minutes allotted time for citizens. Councilmember Alexander pointed out a previous Council decided a citizen could extend their time by accepting another citizen three minutes.

Mayor Pro Tem Post asked what changes were made to the Public Comment Resolution in 2017. Councilmember Alexander shared there were not significant changes just that citizens would be allowed three minutes every Council meeting during the public comment. Mr. Bailey asked Councilmember Alexander if public comment was changed to take place at every regular Council meeting during the time she served as Mayor. Councilmember Alexander agreed, and she noted the change was approved by Council.

Mr. Corriher suggested a change to the Rules for Public Comments period to include, “by Resolution at the organizational meeting, or at any other meeting at the discretion of the Council.”

Councilmember Alexander asked if the current Resolution for Public Comment could be changed. Mr. Corriher noted the Resolution can be changed at any time.

Mr. Corriher pointed out Council made a decision to remove a rule relating to votes by written ballot because written ballots do not pertain to Council. By consensus, Council agreed.

Mr. Corriher stated Council should refer to *Robert's Rules of Order* when confronted with a procedural issue in the miscellaneous section relating to reference to Robert's Rules of Order newly revised.

Mayor Heggins asked if anything should be added to the ROP in the public comment section to prevent the allotted speaking time of three minutes from being adjusted to a lesser time. Mr. Corriher commented public comment period is mandated to take place once a month at a regular meeting of Council.

Mr. Corriher asked if there is a Council consensus regarding the remaining rules in the ROP to the extent they are not effective with an exception to the Agenda section. Councilmember Miller commented there is. Mr. Bailey requested a revised copy as well as a copy that indicate changes be provided to Council at its October 16, 2018 meeting for its consideration. Mr. Corriher agreed.

RECESS

Mayor Heggins made a **motion** to take a ten minute recess and all Councilmembers in attendance agreed unanimously to recess.

The meeting reconvened at 4:00 p.m.

SUGGESTED RULES OF PROCEDURE

Mr. Corriher suggested Council review the Agenda section for discussion and suggestions. He commented leaving the word "and" and not replace it with the word "or" to allow the City Manager and the City Clerk to work together to draft an Agenda in advance of Council meetings relating to the Draft Agenda. By consensus, Council agreed.

Mr. Corriher suggested changing the word "must" to the word "should," the word "or" to the word "and" the number "two" to number "seven," and removing the word "working" from the section that relates placing items on a Draft Agenda. He suggested items for consideration to be placed on the Agenda should be received by the City Manager or City Clerk seven days before Council scheduled meeting.

Councilmember Sheffield asked who participates in the Agenda meeting. Mr. Bailey commented Management staff, Mayor, and the Mayor Pro Tem.

Mayor Heggins clarified Agenda items are submitted by staff and placed on Council's Agenda, but she would not consider the meeting as an Agenda-setting meeting because final

decisions are not made. Councilmember Miller asked when the Agenda-setting meeting takes place. Mr. Corriher commented the Draft Agenda is distributed to Council, the press, and the Sunshine List and is then considered at the Council meeting.

Councilmember Miller suggested the Draft Agenda begin with the leadership of the City. Mr. Bailey asked Councilmember Miller who he is referencing by leadership. Councilmember Miller commented the City Manager and staff. Mr. Bailey stated there are advantages to the Mayor and Mayor Pro Tem being present in the Agenda meetings.

Mayor Heggins commented she does not believe it is the responsibility of the City Manager to lead a Council. She added Council should create its Agenda without staff taking the lead. Councilmember Miller shared he believes it should be a part of the City Manager duties. Mayor Heggins noted she believes it is a duty of the City Manager to carry out the desires of Council.

Mayor Heggins indicated Draft Agendas are not a completed Agenda without Council's consideration.

Mayor Heggins asked if Agenda requests submitted by Councilmembers are excluded from the Agenda, and she asked if the City Clerk and City Manager set topics for Agendas. Councilmembers Miller and Alexander, and Mayor Pro Tem Post shared that Council still has an opportunity to weigh-in on Agenda topics.

Mr. Bailey referenced the section relating to requesting the placement of items on the Draft Agenda, and he noted the City Manager or City Clerk must place an item on the Draft Agenda in response to a Councilmember's timely request.

Mayor Pro Tem Post suggested Council define the word "working days" relating to when an Agenda should be ready for Council's consideration.

City Clerk Diane Gilmore explained she receives Agenda Item Request Forms on Monday one week before Council's regular meeting. She noted Agenda Packets should go out on Tuesday, one week prior to Council's regular scheduled meeting. She commented sometimes Agenda information is submitted on Tuesday from staff and developers.

Mayor Heggins stated there is a difference between the Agenda and the Agenda Packet. She noted Agenda topics are provided and could still go out to Council and the public a week before Council's regularly scheduled meeting whether or not back up information for the Agenda Packet has been submitted.

Councilmember Alexander commented there is a minimum time to review Agendas and respond. Mayor Heggins suggested Councilmembers could voice their concerns at the beginning of Council meetings and ask for items to be moved to a later date if they feel they have not had ample time to review.

Mr. Corriher acknowledged Council's consensus to have Agenda items in advance to allow time for review. He suggested Council create a firm guideline but allow for flexibility. He shared there could be an Agenda item he would need to be presented to Council that might need immediate attention, and he added items needs can vary from department to department.

Councilmember Miller indicated items presented to Council by Boards and Commissions are different from items presented to Council from outside entities.

Mayor Pro Tem Post suggested adding Ordinance, Resolution, policy and procedure to the Agenda section relating to supplemental information/material, and he requested proclamations be added. Mayor Heggins pointed out Council would not have to consider a proclamation. Mayor Pro Tem Post commented he would still like to know what proclamations were being proclaimed. Mayor Heggins shared she did not think members of Council could provide proclamations. Mr. Corriher commented the Mayor has ceremonial powers, and he noted proclamations have been included historically as a ceremonial power. He noted the Statute does not indicate that a Mayor Pro Tem cannot provide a proclamation. Mayor Pro Tem Post added there is nothing in the Statute that prohibits Council from submitting a Proclamation for the Mayor's consideration.

Councilmember Sheffield commented she would like to be made aware and have the opportunity to review proclamations and noted it could help Councilmembers community involvement.

Mr. Corriher asked if Agenda and Agenda Packets are published separately. Ms. Gilmore commented they are published separately. Ms. Gilmore asked if Council is referring to one week as seven business days. Council agreed and added it prefers to receive Agenda and Agenda Packets on the Wednesdays prior to Council's Tuesday meeting.

Mr. Corriher asked if proclamations would be included in the Agenda section relating to supplemental information/materials. By consensus, Council members agreed.

Mr. Corriher reviewed the need for Agenda adoption before each Council meeting. He commented Council currently follows the Agenda and makes changes by consensus. He stated changes to an Agenda can include information as well as changes to the order. He indicated Council should discuss changes prior to adopting an Agenda.

Councilmember Sheffield asked if Council approves Agendas before each meeting. Councilmembers discussed and determined Agendas are not approved.

Mr. Corriher commented Council's ceremonial items such as the Pledge of Alliance and a moment of silence could be provided prior to Council's adoption of a Draft Agenda. He commented Council can make a motion to add or remove items from the Agenda, and he noted Council operates by a majority vote.

Mr. Corriher suggested separating action Agenda items from informational Agenda items with Council having the ability to take actions if necessary on informational items. Mr. Bailey

suggested reworking the form that determines the item to be an action Agenda item or a regular Agenda item. He commented several meetings ago a mistake was made on the fire station bid and the people involved had to wait for Council to processed through most of its Agenda to be dismissed from their bid. He suggested him and the City Clerk work together to arrange Agenda items for a quicker Agenda process.

Mayor Heggins asked if the words “change the order” can be added to the adoption of the Agenda relating to amending the Agenda section so that a Councilmember can add or remove Agenda items by majority vote. Councilmember Sheffield suggested Council not reorder Agenda items and that staff should have items preordered. Mayor Heggins noted the suggestion provides Council the ability to change the order of the Agenda. Councilmembers agreed to allow Council the ability to change the order

Mr. Corriher pointed out a suggested change to remove “unfinished business” and replace with “the regular Agenda” and allow consent Agenda items to be placed on Council’s regular Agenda for discussion.

Mr. Corriher reviewed Agenda items that are submitted by the public in the Agenda section. Mayor Pro Tem Post suggested the word “or” be changed to “and” relating to the City Clerk or the City Manager in the Agenda section. Mr. Corriher asked if Agenda request items must be submitted to both the City Manager and the City Clerk. Councilmember Miller suggested both parties should be aware of Agenda items. Mr. Corriher asked how Council prefers Agenda items be submitted for consideration. Mayor Pro Tem Post suggested submittal to the City Manager. Mayor Heggins suggested submittals to both the City Clerk and City Manager. Mr. Corriher suggested the word “or” to allow members of the public to submit items to appropriate channels because the City Manager and the Clerk would communicate. Mr. Bailey suggested Council could be notified of Agenda requests, and Council can then determine if the Agenda item should be added to its Agenda. Mayor Heggins suggested if Councilmembers receive Agenda items from the public to share the information with the City Clerk or the City Manager.

Mr. Corriher referred to the order of business. Councilmember Miller suggested moving the public comment period to the early part of the Council’s Agenda after the Agenda has been approved. He commented closed session meetings could take place prior to Council’s regular meeting to help Council move through the Agenda more efficiently.

Mayor Pro Tem Post suggested Council meeting start times remain at 5:00 p.m. and closed session meetings begin at 4:00 p.m. He added he does not believe starting a Council meeting at 6:00 p.m. would shorten the meetings.

Mr. Bailey suggested having the public comment at 5:00 p.m. Mayor Heggins and Councilmember Sheffield disagreed and added 5:00 p.m. was too early for public comment and would not allow citizens to provide input.

Mayor Heggins suggested opening the Council meeting at 4:00 p.m., adjourning for a closed session meeting and then returning to open session.

Mayor Pro Tem Post asked if 5:30 p.m. would be too early for public comment. Mayor Heggins shared she believed so.

Councilmember Sheffield indicated she prefers the public comment period not to open in the middle of Council meetings. Councilmember Alexander agreed.

Mr. Bailey suggested moving Public Comment to the end of the meeting before the City Attorney and City Manager's reports to provide an opportunity for citizens to hear most Agenda items and potentially address concerns.

Councilmember Miller commented his preference would be to hold public comment at the end of Council meetings. He pointed out the rules suggest a time and noted the only way Council could predict a time would be to start a Council meeting with Public Comment at the beginning.

Councilmember Alexander suggested having two public comment sections at each Council meeting. Mr. Bailey commented two Public Comment sections may cause confusion.

Mr. Bailey asked if Council is agreeable to hold closed session meetings at 4:00 p.m. prior to the 5:00 p.m. meeting. By consensus, Council agreed to hold closed session meetings being at 4:00 p.m. on Council's regular Tuesday meetings.

Mayor Heggins commented that Councilmember Alexander's suggestion to have two public comment periods could be confusing but could also allow for additional input from the public in an organized way.

Councilmember Miller shared if citizens want to provide input they will make the effort to attend public comment. He noted the County Commission meetings times vary with public comment at the beginning of each meeting. Councilmember Alexander commented she believes the County has received positive feedback regarding its public comment periods.

Mayor Heggins commented she believes opening public comment before 5:30 p.m. is too early, and she would like to provide business owners and community member's ample time to participate in public comment. Councilmember Alexander indicated some people may not get off work until 5:30 p.m. Councilmember Sheffield added some downtown business close at 6:00 p.m.

Mr. Corriher commented he believes meeting start times would not be considered a rule of procedure and noted the public comment times can be addressed in the Public Comment Resolution.

Mr. Corriher suggested replacing the word "shall" with "should" in the Agenda section relating to the order of business section. By consensus, Council agreed.

Mr. Corriher reviewed the revisions to the Agenda section relating to the order of business:

- Adoption of the Agenda
- Approval of the Consent Agenda
- Public Comment
- Public Hearing
- Administrative Reports
- Committee Reports
- Other Business

Mayor Heggins commended Councilmember Alexander, City Clerk Diane Gilmore and Administrative Services Director Kelly Baker for their help regarding the ROP committee. She thanked Council, City Manager Lane Bailey, and City Attorney Graham Corriher for assisting Council with the ROP discussion and revisions.

Mr. Bailey pointed out Mr. Corriher will present the revised ROP at Council's November 6, 2018 meeting.

Councilmember Alexander suggested Council review the Public Comment Resolution to determine if revisions are needed.

Councilmember Miller commended Mr. Corriher for his work to determine the need of each Councilmember relating to the ROP.

Ms. Baker shared if Council decides to change meeting start times, the change would require an Ordinance amendment because it is included in the City Code. She referred to Council's discussion relating to flexible start times for Council meetings, and she noted there are certain statutory requirements for public hearings that could pose the need for Council to indicate meeting start times.

Mr. Bailey clarified Council determined to move meeting start times to 4:00 p.m. when a closed session is scheduled. Mr. Corriher commented the meeting start time would need to be changed and noticed for 4:00 p.m.

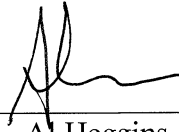
Ms. Baker recommended if Council begins its meeting at 4:00 p.m. a notice for a special meeting be provided, and she added if there is not an item for a closed session meeting Council would still be required to open the meeting at 4:00 p.m. and recess until a preferred time.

Mr. Corriher commented the Special Meeting at 4:00 p.m. could be to address an outside interest, and he added if it is attorney-client privilege that is just a discussion with him and those meetings can be held at the end of Council's regular meetings.

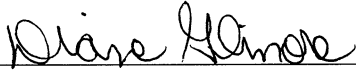
Mayor Pro Tem Post commended Mayor Heggins for bringing the need to revise the ROP to Council's attention.

ADJOURN

Motion to adjourn the meeting was made by Councilmember Miller. All Council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 6:05 p.m.



Al Heggins, Mayor



Diane Gilmore, City Clerk